UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155, 14-D12
Seattle, WA 98101-3144

REGIONAL
ADMINISTRATOR'S
DIVISION

August 1, 2022

Erica Antill
C/o Tetra Tech, Inc.
1750 South Harbor Way, Suite 400
Portland, Oregon 97201

Dear Erica Antill:

The U.S. Environmental Protection Agency has reviewed U.S. Coast Guard's June 2022 notice to prepare an Environmental Assessment for the Siuslaw River Station (EPA Project Number 22-0041-USCG). EPA has conducted its review pursuant to the National Environmental Policy Act and our review authority under Section 309 of the Clean Air Act. The CAA Section 309 role is unique to EPA and requires EPA to review and comment publicly on any proposed federal action subject to NEPA's environmental impact statement requirement.

The Coast Guard proposes to evaluate the potential environmental impacts associated with in-water modifications and landslide improvements to the existing Siuslaw River Station covered mooring in Florence, Oregon by January 2024. The EA will detail alternatives under consideration.

EPA appreciates the information provided in the notice to prepare an EA. EPA offers the Coast Guard the enclosed scoping comments on topics we believe are important to consider in the NEPA analysis for this project.

Thank you for the opportunity to provide scoping comments for this project. If you have questions about this review, please contact Emily Bitalac of my staff at (206) 553-2581 and bitalac.emily@epa.gov, or me, at (206) 553-1774 or at chu.rebecca@epa.gov.

Sincerely,

Rebecca Chu Digitally signed by Rebecca Chu
Date: 2022.08.01 10:54:42 -07'00'

Rebecca Chu, Chief
Policy and Environmental Review Branch

Enclosure

U.S. EPA Detailed Comments on the
Siuslaw River Station
Lane County, Oregon
July 2022

Water Quality

To fully characterize the impacts to water quality that may result from this project, EPA recommends the NEPA analysis describe the current conditions of the area (e.g., of acreage of wetlands, ditched and natural streams, Clean Water Act Section 303(d) listed waters, Total Maximum Daily Load plans).

EPA recommends the NEPA analysis characterize the direct, indirect, and cumulative impacts that each of the proposed alternatives will have on the current conditions and how each of the alternatives account for and mitigate impacts. EPA recommends that the NEPA analysis also clearly explain how the project fits into broader goals and efforts related to watershed management and water conservation in the area.

Construction activities of the proposed project may be subject to regulatory requirements and require permitting, such as Clean Water Act Sections 401, 402, and 404 permits.

Clean Water Act Section 401

The CWA provides states and authorized tribes the authority to grant, deny, or waive certification of proposed federal licenses or permits that may discharge into waters of the U.S. This section of the CWA is an important tool for states and authorized tribes to help protect the water quality of federally regulated waters within their borders, in collaboration with federal agencies. In developing the NEPA analysis, EPA recommends early coordination with the State of Oregon and Tribes for the purposes of streamlining regulatory processes.

Clean Water Act Section 402

EPA recommends the NEPA analysis identify any discharges to waters of the U.S. that are known, or are likely, to occur during construction and operation of the project and how these discharges would be managed and minimized. Identify the National Pollutant Discharge Elimination System (NPDES) permits that will be obtained for the construction phase, new (or modifications to) existing permits for operations, and how any previous permit exceedances could be prevented by incorporating pollution prevention measures into the project. Describe any site-specific best management practices (BMPs) or stormwater pollution prevention plans that will be used during construction to minimize those impacts. Example BMP measures include: physical measures (e.g., silt fencing); timing and sequencing restrictions; setback provisions from existing streams, riparian areas, or wetlands; equipment decontamination; and/or invasive species management.

Clean Water Act Section 404

The proposed project may require a permit under Section 404 of the CWA from the U.S. Army Corps of Engineers for the discharge of dredged or fill material into waters of the U.S. Wetlands, vegetated shallows, mud flats, and cobble substrates are all considered special aquatic sites under the CWA Section 404(b)(1) Guidelines (40 CFR 230).

EPA recommends that the NEPA analysis:

- Clearly identify any discharges to waters of the U.S. that are known, or likely, to occur that will be subject to Section 404 of the CWA. Identify and describe the impact of those discharges,

control measures to be employed to address those impacts, and BMPs to prevent discharge of water and pollutants.

- Includes sufficient information that can serve as at basis to determine whether the project would satisfy the requirements for the Section 404 permit or identify appropriate measures to mitigate the project's impacts to all waters of the U.S.
- Structure the alternatives analysis so that it is consistent with meeting requirements of both the CWA and NEPA.
- Describe the regulatory criteria and processes utilized to screen potential alternatives and thoroughly evaluate alternatives that would pose less adverse impacts.
- Describe how compensatory mitigation will be quantified and provided to offset impacts, with specific project examples and options as available.

Aquatic Habitat

EPA recommends the NEPA document describe aquatic habitats in the affected environment (e.g., habitat type, plant and animal species, functional values, and integrity) and the environmental consequences of the proposed action on these resources. Evaluate impacts to aquatic resources in terms of the impacted acreage and by functions performed. Project construction, operation, and maintenance may affect a variety of aquatic resources. The project has potential to degrade habitat for fish and other aquatic biota, and these resources may experience varying degrees of impacts and alteration of their hydrologic functions. For any impacts that cannot be avoided through siting and design, describe the types, location, and estimated effectiveness of BMPs applied to minimize and mitigate impacts to aquatic resources.

Air Quality

EPA recommends the NEPA document include a discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards and nonattainment areas, and potential air quality impacts of the proposed action and the alternatives. Ensure compliance with State and Federal air quality regulations and disclose the potential impacts from temporary or cumulative degradation of air quality that may be caused by the proposed activities. Describe and estimate air emissions from potential construction, operation, and maintenance activities for the updated station, as well as proposed mitigation measures to minimize those emissions.

Impacts of Climate Change

EPA recommends the NEPA document consider ongoing and projected regional and local climate change and ensure robust climate resilience/adaption planning in the project design. EPA also recommends the NEPA document include measures to be taken to ensure resilience/adaptation to protect the infrastructure investment from the effects of climate change (on the project). The long-lived nature of infrastructure makes consideration of the ongoing and projected impacts of climate change even more important. It is not sufficient to ensure resilience of the project to risks under current climate conditions. Considering potential climate change impacts helps ensure that investments made today continue to function and provide benefits, even as the climate changes.

EPA recommends that the NEPA document specifically discuss how climate resiliency has been considered in the design of the proposed action and alternatives, and related measures should be discussed and included, as appropriate, in the conclusion and recommendations section. This, and consideration of any relevant state, tribal, or local adaptation plans, enables consideration of ongoing and projected regional and local climate impacts, including, but not limited to, rising sea levels, drought, high intensity precipitation events, at-risk areas not yet designated as flood zones, and increased fire

risk. Consideration of these impacts helps avoid infrastructure investments in vulnerable locations, and associated impacts on local communities.

Environmental Justice

We strongly encourage the use of EPA's national consistent Environmental Justice Screening and Mapping Tool (EJScreen[1]) when conducting environmental justice (EJ) scoping efforts. Utilizing this tool is a useful first step in highlighting locations that may be candidates for further analysis. The tool can help identify potential community vulnerabilities by calculating EJ Indexes and displaying other environmental and socioeconomic information in color-coded maps and standard data reports (e.g., pollution sources, health disparities, critical service gaps, climate change data). EJScreen can also help focus environmental justice outreach efforts by identifying potential language barriers, meeting locations, tribal lands and indigenous areas, and lack of broadband access. For purposes of NEPA review, a project is considered to be in an area of potential EJ concern when the area shows one or more of the twelve EJ Indexes at or above the 80th percentile in the nation and/or state. However, scores under the 80th percentile should not be interpreted to mean there are definitively no EJ concerns present.

While EJScreen provides access to high-resolution environmental and demographic data, it does not provide information on every potential community vulnerability that may be relevant. The tool's standard data report should not be considered a substitute for conducting a full EJ analysis, and scoping efforts using the tool should be supplemented with additional data and local knowledge when reasonably available. Also, in recognition of the inherent uncertainties with screening level data and to help address instances where the presence of EJ populations may be diluted (e.g., in large project areas or in rural locations), EPA recommends assessing each block group within the project area individually and adding a one-mile buffer around the project area. Please see the EJScreen Technical Documentation[2] for a discussion of these and other issues.

Coordination with Tribal Governments

EPA encourages the Coast Guard to consult with the Tribes and incorporate feedback from the Tribes when making decisions regarding the project. EPA recommends the NEPA document describe the issues raised during the consultations and how those issues were addressed, consistent with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*.

Monitoring

As the proposed project has the potential to impact many environmental resources for an extended period, EPA recommends that the project be designed to include a monitoring program to ensure compliance with and efficacy of mitigation measures. EPA recommends the NEPA document describe the monitoring program and how it will be used as an effective feedback mechanism so that the project can be adaptively managed over time, and any needed adjustments can be made to the project to meet environmental objectives throughout its lifespan.

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[1] https://ejscreen.epa.gov/mapper/.

[2] https://www.epa.gov/ejscreen/technical-documentation-ejscreen.